

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Gonzalo Ramos-Ruiz,

Petitioner

v.

United States Citizenship and Immigration
Services (USCIS), et al.,

Respondents

Case No. 2:25-cv-00825-CDS-NJK

**Order Dismissing Petition for
Writ of Mandamus**

[ECF No. 5]

On June 30, 2025, pro se petitioner Gonzalo Ramos-Ruiz filed a writ of mandamus.¹ Writ, ECF No. 5. Liberally construing the filing, Ramos-Ruiz moves this court to order or compel defendants² to initiate a criminal investigation into Maria Louisa Sanchez-Plata, a woman to whom he was previously married; their union has since been voided because of a state court finding of bigamy. *Id.* at 4–7; 9–10. For the reasons set forth herein, the petition for writ of mandamus is denied.

I. Discussion

Federal court jurisdiction is limited to “cases” or “controversies” under Article III of the United States Constitution. *See Lujan v. Defs. of Wildlife*, 504 U.S. 555, 559 (1992). For a case or controversy to exist, Ramos-Ruiz must have suffered an “injury in fact”: an invasion of a legally protected interest which is (a) concrete and particularized, and (b) “actual or imminent, not ‘conjectural’ or ‘hypothetical.’” *Id.* at 560. Further, there must be a “causal connection between the injury and the conduct complained of—the injury has to be ‘fairly . . . trace[able] to the challenged action of the defendant, and not . . . the result [of] the independent action of some

¹ The court liberally construes this filing as a petition for writ of mandamus.

² The named defendants are the directors of United States Citizenship and Immigration Services (USCIS), the Immigration and Customs Enforcement (ICE), the Department of Homeland Security, the Attorney General of the United States, Pamela Bondi, and the interim U.S. Attorney for the District of Nevada, Sigal Chattah. *See* ECF No. 5.

1 third party not before the Court.” *Id.* (citing *Simon v. E. Ky. Welfare Rights Org.*, 426 U.S. 26, 41–42
2 (1976)). Last, it must be “likely,” as opposed to merely “speculative” that the injury will be
3 “redressed by a favorable decision.” *Id.* at 560–61 (internal citations omitted). It does not appear
4 from the petition that Ramos-Ruiz has suffered an “injury in fact.” Rather, Ramos-Ruiz wants
5 the defendants to investigate Sanchez-Plata, seeking their assistance in proving the alleged
6 “marriage fraud” to help him resolve what appears to be a dispute of division of property. *See*
7 ECF No. 5 at 7, ¶ 20; *id.* at 10, ¶ 26. But this is not an injury. Even if an investigation took place
8 and it was determined that marriage fraud took place, that would not give rise to an injury as the
9 fraud is traceable to Sanchez-Plata, not the defendants. And any determination of marriage fraud
10 would not guarantee resolution of the property dispute between Ramos-Ruiz and Sanchez-
11 Plata. Without standing, this court lacks jurisdiction over this action, so it must be dismissed.

12 Further, even if Ramos-Ruiz could demonstrate an injury-in-fact, mandamus relief is not
13 available here. The United States Supreme Court has long held that mandamus relief is “a drastic
14 and extraordinary remedy reserved for really extraordinary causes.” *Cheney v. U.S. Dist. Ct.*, 542
15 U.S. 367, 380 (2004) (quoting *Ex parte Fahey*, 332 U.S. 258, 259–60 (1947)) (internal quotation
16 marks omitted). Ramos-Ruiz does not demonstrate that this case is one deserving of the drastic
17 and extraordinary remedy of mandamus relief. Ramos-Ruiz asks that the defendants be ordered
18 to investigation Sanchez-Plata for violations of Title 8, United States Code, Sections 1154 and
19 1325, and Title 18, United States Code, Section 1546. ECF No. 5 at 9–10. But mandamus is not
20 available to obtain the relief Ramos-Ruiz requests because under federal law, this court lacks
21 the power to compel a federal criminal investigation at the request of a citizen plaintiff. *See, e.g.*,
22 *Ardalan v. McHugh*, 2014 U.S. Dist. LEXIS 106984, at *12 n.4 (N.D. Cal. Aug. 4, 2014); *Leisure v. FBI*
23 *of Columbus, Ohio*, 2 F. App’x 488, 490 (6th Cir. 2001); *see also City of Milwaukee v. Saxbe*, 546 F.2d
24 693, 701 (7th Cir. 1976); *Moses v. Katzenbach*, 342 F.2d 931 (D.C. Cir. 1965) Indeed, the criminal
25 investigation or prosecution of individuals is a discretionary function that rests with the
26 government and may not be compelled. *Wayte v. United States*, 470 U.S. 598, 607 (1985) (“In our

1 criminal justice system, the Government retains ‘broad discretion’ as to whom to prosecute.”);
2 *Asanov v. Plekan*, 2024 U.S. Dist. LEXIS 41174, at *4 (E.D.N.C. Jan. 29, 2024). Consequently, this
3 action cannot proceed. Accordingly, the court dismisses Ramos-Ruiz’s petition for writ of
4 mandamus for lack of jurisdiction.³

5 **II. Conclusion**

6 IT IS HEREBY ORDERED that Ramos-Ruiz’s petition for writ of mandamus [ECF No.
7 5] is **DISMISSED** for lack of subject-matter jurisdiction.

8 The Clerk of Court is kindly directed to close this case.

9 Dated: July 30, 2025

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11 Cristina D. Silva
12 United States District Judge
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26 ³ Even if this court erred in dismissing for lack of jurisdiction, this case would be dismissed for the reasons set forth in this order.